IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.1991 of 2007

Nikki D'Souza & ors. Petitioners
Vs.
State of Maharashtra & anr. Respondents

Ms.Sartaj Shaikh i/b. Rajeev Sawant & Associates for petitioners.

Mr.D.P.Adsule, APP for State.

CORAM: B.H.MARLAPALLE, J.

October 26, 2007.

P.C.

. Heard the learned counsel for the petitioners who are impleaded as accused in CC No.2/SS/2006 for the offences punishable under Sections 323, 504, 506 read with Section 114 of IPC. Process was issued by the learned Metropolitan Magistrate on 20/4/2005 challenging the said order of issuance of process. Criminal Revision Application under Stamp No.3340 of 2007 along with Misc. Application No.875 of 2007 for condonation of delay was filed and the same has been dismissed by the learned Addl. Sessions Judge.

Hence this petition.

. There was a delay of 475 days in filing the revision application and it was not properly explained. The learned Addl. Sessions Judge,

therefore, did not find any reason made out to condone the delay. Even otherwise I have gone through the complaint filed by the respondent no.2 - Smt. Kalyani Maan Singh. The complaint describes specific instances of threats of assault / intimidation and demand of money under such threats. Obviously a triable case has been made out and, therefore, the learned Judge of the trial Court was right in issuing the process.

. Petition is rejected.

(B.H.MARL